

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

HERBERT GRESS	:	CIVIL ACTION
	:	
v.	:	
	:	
ANDREW SAUL, Commissioner of Social Security	:	NO. 19-1505

**ORDER**

AND NOW, this 29<sup>th</sup> day of January, 2020, upon consideration of Plaintiff's brief (Doc. 15), the response (Doc. 16), reply (Doc. 19), Defendant's uncontested motion to stay consideration of the case (Doc. 20), and the Third Circuit's decision in Cirko v. Commissioner of Social Security and Bizarre v. Commissioner of Social Security, \_\_\_ F.3d \_\_\_, 2020 WL 370832 (3d Cir. Jan. 23, 2020), IT IS HEREBY ORDERED that:

1. The motion to stay is denied as moot.
2. Judgment is entered REVERSING the decision of the Commissioner of Social Security for the purposes of this remand only and the relief sought by Plaintiff is GRANTED to the extent that the matter is REMANDED for further proceedings consistent with this adjudication.
3. On remand, the case will be considered by a constitutionally appointed ALJ other than the one who previously adjudicated Plaintiff's claim.
4. The clerk of Court is hereby directed to mark this case closed.

BY THE COURT:

/s/ELIZABETH T. HEY

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ELIZABETH T. HEY, U.S.M.J.